

Remarks

Claims 1-47 are pending in the application.

Claim Rejections - 35 USC § 102

Claims 1-3, 5-13, 15-20, 23-27, 29-36, 38-43 and 46-47 were rejected under 35 U.S.C 102(e) as being anticipated by Corlett. In response, applicants have amended base claims 1, 17, 25 and 40.

The invention is directed to a technique for receiving from a calling party a message intended for a called party, and storing in a database both the message and data concerning the calling party's telephone number (e.g., ANI). Such telephone number data is stored in association with the message in the database. (Specification, page 17, lines 9-13.) When the message is subsequently delivered to the called party, the called party is given an option to call back to the calling party. (Specification, page 2, lines 18-28.) Upon receiving a designated signal from the called party (e.g., generated by pressing a predetermined key on the telephone), a switch interface retrieves from the database the calling party's telephone number stored in association with the message, and initiates a call to the calling party based on the retrieved telephone number, thereby connecting the called party to the calling party. (Specification, page 22, lines 9-26.)

Corlett discloses a technique for receiving and storing a message from a calling party intended for a called party. (Corlett, col. 7, lines 54-56 and col. 8, lines 16-18.) Corlett additionally discloses recording the message by the calling party, which may include therein the calling party's termination telephone number recorded by the calling party, e.g., via voice input. (Corlett, col. 10, lines 15-20.) In accordance with Corlett, multiple attempts may be made to reach the called party; if the called party is reached, he or she is given the message. (Corlett, col. 11, lines 55-60.) The called party is also given an option to call back to the calling party. (Corlett, col. 13, lines 1-4.) If the called party indicates a desire to call back, a switch utilizes a "last call return capability" to place a call back to the last caller; in

anticipation of the likely event that the last caller may not be the calling party who left the message, such a switch also provides "the capability to recall the termination telephone numbers of the previous 10 calling parties" from which the called party may select to call back. (Corlett, col. 13, lines 19-29.) Such a selection can be realized, perhaps, based on the called party's recollection of the termination telephone number recorded in the message.

Amended Claim 1

However, nowhere does Corlett teach or suggest that, in response to a call-back signal initiated by the called party, a switch interface retrieve from storage "data concerning the telephone number stored in association with the message," and cause "an establishment of a ... connection to the telephone number based on the retrieved data," as amended claim 1 now recites. In fact, Corlett teaches away from the claimed invention by utilizing a switch having the last call return capability of blindly calling back to the last caller, who may not be the calling party who left the message. To remedy that, Corlett further teaches away from the claimed invention by having the switch provide the termination telephone numbers of the previous 10 calling parties from which the called party may select to call back, and which are stored for call-back use by the switch, not in association with messages as required in the claimed invention. As such, amended claim 1 and its dependent claims (1-7) are patentable over the cited art.

Claim 8

Corlett neither teaches nor suggests "eliciting from the caller at least one preference concerning delivery of the message," as claim 8 recites. Corlett additionally fails to teach or suggest delivering a message in accordance with a preference, as required by claim 8. As set forth in Claim 8, the calling party may specify "at least one preference," such as time range or frequency, for delivery of the message (specification, page 17, lines 9 to page 18, line 6). The message is subsequently delivered to the called party in accordance with a specified time

range, a specified frequency, or another of the calling party's "preferences." (specification, page 19, lines 11-19).

Further, Corlett fails to teach or suggest allowing the calling party to control the time range, frequency or any other parameter relating to the delivery of the message. Applicants acknowledge that in accordance with Corlett, a "caller 80" appears to have some role in placing calls to the called party "at predetermined intervals." (Corlett, col. 10, lines 38-40). However, "caller 80" is not the calling party; "caller 80" is merely "a conventional system implemented in software of the peripheral." (Corlett, col. 11, lines 9-10). Likewise, the "scheduler" disclosed in Corlett is not equivalent to the calling party. The scheduler is merely another software application in Corlett's call back messaging system. (Corlett, col. 7, lines 5-6, Fig. 2B).

Because Corlett fails to teach or suggest all of the limitations of amended claim 8, claim 8 and its dependent claims (9-16) are patentable over the cited art.

Amended Claim 17

Amended claim 17 and amended claim 1 share similar claim limitations, including "retrieving from the storage the data concerning the telephone number stored in association with the message, and establishing a ... connection to a calling station associated with the calling telephone number based on the retrieved data." Accordingly, the arguments set forth above apply equally to amended claim 17.

Because Corlett fails to teach or suggest all of the limitations of amended claim 17, claim 17 and its dependent claims (18-24) are patentable over the cited art.

Amended Claim 25

Amended claim 25 and amended claim 1 share similar claim limitations. For the reasons set forth above, amended claim 25, together with its dependent claims (26-30), is also patentable over the cited art.

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Claim 31

Claim 31 and claim 8 share similar claim limitations. For the reasons set forth above, claim 31, together with its dependent claims (32-39), is also patentable over the cited art.

Amended Claim 40

Amended claim 40 and amended claim 17 share similar claim limitations. For the reasons set forth above, amended claim 40, together with its dependent claims (41-47), is also patentable over the cited art.

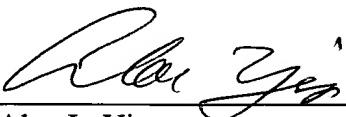
Claim Rejections - 35 USC § 103

Claims 4, 14, 21-22, 28, 37 and 44-45 were rejected under 35 U.S.C 103(a) as being unpatentable over Corlett in view of Hammond. The amendments to the claims and the arguments presented above render the rejection of claims 4, 14, 21-22, 28, 37 and 44-45 moot.

Conclusion

In view of the foregoing, each of claims 1-47, as amended, is believed to be in condition for allowance. Accordingly, reconsideration of these claims is requested and allowance of the application is earnestly solicited.

Respectfully,

By 

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